

REMARKS

This Supplemental Amendment is being submitted in response to the recent Board of Appeal decisions in U.S. Patent applications 10/000,311; 09/771,938; and 09/772,520 and the applicability of the reasoning of those Board decisions to the claims and arguments in the present case.

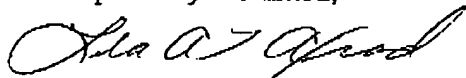
The present application relates to inbred maize line PH5DR. Claims 1-10 are pending in the present application. Claim 2 was previously amended in the Amendment of June 10, 2005. Applicant acknowledges the addition of claims 11 through 30. The new claims do not add new matter as there is support for the claims in the originally filed specification. Support for the specific items can be found within the specification for herbicide tolerance on page 31; insect resistance and resistance to bacterial, fungal, nematode or viral disease on pages 28-30; yield enhancement on page 21; waxy starch and improved nutritional quality on page 21; male sterility and restoration of male fertility on pages 2-3; and 0-5 generations on pages 3-4. No new matter has been added. Entry of this Supplemental Amendment and approval of the changes is respectfully requested.

In conclusion, Applicant submits in light of the above amendments and remarks, the claims as amended are in a condition for allowance, and reconsideration is respectfully requested. If it is felt that it would aid in prosecution, the Examiner is invited to contact the undersigned at the number indicated to discuss any outstanding issues.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



LILA A. T. AKRAD, Reg. No. 52,550
MCKEE, VOORHEES & SEASE, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No: (515) 288-3667
Fax No: (515) 288-1338
CUSTOMER NO: 27142
Attorneys of Record

- LATA/bja-